

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 600681PWO	FOR FURTHER ACTION <small>see Form PCT/ISA/220 as well as, where applicable, item 5 below.</small>	
International application No. PCT/EP2004/002829	International filing date (<i>day/month/year</i>) 17/03/2004	(Earliest) Priority Date (<i>day/month/year</i>) 18/03/2003
Applicant GASCHE, Anke		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☒ **Certain claims were found unsearchable** (See Box II).

3. ☐ **Unity of invention is lacking** (see Box III).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regards to the drawings,

a. the figure of the **drawings** to be published with the abstract is Figure No. 12

☐ as suggested by the applicant.

☒ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

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Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

A kit for performing removal of a vermiform appendix(20) from a patient comprises an elongated flexible element(140) extending between a proximal end and a distal end, means(150) attached to the distal end of the elongated flexible element for anchoring the distal end to interior walls of a central lumen(26) defined by the appendix when the distal end is disposed within the central lumen, a tubular element(100) defining a central lumen adapted for receiving a colonoscope(90), and means for ligating or cutting(168) the appendix at the appendix base after the appendix is inverted into the cecum(12). A method for performing removal of a vermiform appendix from a patient comprises positioning a colonoscope into the cecum of the patient, irrigating the central lumen of the appendix, guiding a distal end of an elongated flexible element into the central lumen of the appendix, wherein the flexible element comprises anchoring means anchoring the distal end to the interior wall of the appendix, providing counterforce against the appendix base, pulling the elongated flexible element toward the cecum, wherein the elongated flexible element draws the appendix

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A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61B17/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 868 760 A (MCGUCKIN JR JAMES F) 9 February 1999 (1999-02-09) column 9, line 27 - line 40 ---	1,26,36
A	US 5 433 708 A (BEHL ROBERT S ET AL) 18 July 1995 (1995-07-18) figures 7-9 column 3, line 17 column 4, line 62 ---	1,26,36
A	WO 00/59380 A (COALESCENT SURGICAL INC) 12 October 2000 (2000-10-12) figures 17A-17C,18A-18E -----	1,26,36

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

A document defining the general state of the art which is not considered to be of particular relevance

E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

G document member of the same patent family

Date of the actual completion of the international search

22 June 2004

Date of mailing of the international search report

02/07/2004

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Authorized officer

Hamann, J

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Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 41-61
because they relate to subject matter not required to be searched by this Authority, namely:
Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

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Information on patent family members

International Application No

PCT/EP2004/002829

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5868760	A	09-02-1999	AU 716048 B2	17-02-2000
			AU 4509796 A	03-07-1996
			CA 2206275 A1	20-06-1996
			CN 1175193 A	04-03-1998
			EP 0918486 A2	02-06-1999
			JP 11506943 T	22-06-1999
			WO 9618344 A2	20-06-1996
			US 6264086 B1	24-07-2001

US 5433708	A	18-07-1995	US 5542928 A	06-08-1996
			AU 655262 B2	08-12-1994
			AU 1634692 A	19-11-1992
			EP 0766533 A1	09-04-1997
			WO 9220290 A1	26-11-1992

WO 0059380	A	12-10-2000	US 6695859 B1	24-02-2004
			AU 4202300 A	23-10-2000
			WO 0059380 A2	12-10-2000
			US 2004102797 A1	27-05-2004
